HAMILTON COUNTY BOARD OF COMMISSIONERS JANUARY 27, 2003

Hamilton County Board of Finance:

Christine Altman opened the Hamilton County Board of Finance meeting for 2003. Holt motioned that Christine Altman serve as President of the Board of Finance for 2003. Dillinger seconded. Motion carried unanimously.

Annual Investment Report - 2002:

Ms. Sally Wilson presented the 2002 Annual Investment Report. Altman asked Ms. Wilson to shop other banks for higher rates for sweep accounts. Mr. Howard stated if we are going to shop the rate we need to shop the lock box as a separate quote. Altman stated Bank One receives the Clerk's deposits as part of our offset to charges, we don't receive interest on the Clerk's deposits. Ms. Wilson stated she thought the Clerk was with Key Bank. Altman will talk to the Clerk. Altman will review the proposal before Ms. Wilson sends it out.

Holt motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously.

Hamilton County Board of Commissioners (1:17:29)

Holt called the January 27, 2003 meeting of the Hamilton County Board of Commissioners to order. A quorum was declared present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was recited. The Commissioners met in Executive Session in Conference Room 1A. The public session was held in the Commissioners' Courtroom in the Hamilton County Judicial Center, Noblesville, Indiana.

Approval of Minutes:

Dillinger motioned to approve the minutes of January 13, 2003. Altman seconded. Motion carried unanimously.

Executive Session Memoranda:

Dillinger motioned to approve the Executive Session Memoranda for January 27, 2003. Altman seconded. Motion carried unanimously.

Bid Openings - Highway Department: (1:19:06)

Verbatim audio is on file in Auditor's Office (1:20:49). Original bids will be available for review and inspection at the Highway Department Wednesday, January 29, 2003. Bid Tabs are available for review in Auditor's office.

The annual Highway Bids were opened in Conference Room 1A, with Michael Howard and Dawn Coverdale in attendance. Bids were received for the following: Category 1,

Aggregates - Irving Materials, Inc., Martin Marietta Aggregates, IMI, US Aggregates. Category

2, Bituminous Mixtures - E&B Paving, Rieth-Riley, Mar-Zane, Milestone. Category 3, Liquid Asphalt - Marathon Ashland Petroleum. Category 4, Pipes/Drainage Structures - Metal Culverts, Inc., St. Regis Culvert, CPI. Category 5, Pre-engineered Bridges & Components - American Timber Bridge & Culvert. Category 6, Gasoline/Fuel & Lubricants - Hamilton

County Co-op. Category 7, Salt - Morton Salt, Young Trucking, Cargill Salt, North American Salt, International Salt. Category 8, Pavement Traffic Markings - Airmarking Co., Chem-Trol, United Rentals Highway Tech., T&R. Traffic Services. Category 9, Weed and Brush Control Chemicals - Chem-Trol Chemical, The Daltons, Inc., DeAngelo Bros, Townsend Tree Service. Category 10, Tree, Stump Removal - Davey Tree Expert Co., Vine & Branch, Inc., Townsend Tree Service. (At 1:51:48 Mr. Michael Howard reported that the annual Highway bids were opened in 10 categories. Bids were referred to the Highway Department for review and recommendation at the next meeting. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.)

Plat Approvals

McClintock Homestead:

Buescher Historical Preservation Site:

Cardwell Estates:

Mr. Steve Broermann presented plats for approval: McClintock Homestead, Buescher Historical Preservation Site and Cardwell Estates. The Highway Department recommends approval of all the plats. Dillinger motioned to approve. Altman seconded. Altman stated she spoke with Chuck Kiphart and he does not see any of these plats because they are outside the jurisdiction of the county. We presume when it is received by the Auditor's office that all the local action has been taken when they sign off. Is that what we rely on when the local planning director signs off or the plan commission of that jurisdiction? Mr. Broermann stated yes. Typically all items have been addressed and the plat are signed by the appropriate plan commission. There are exceptions when he receives a call from a plan commission that they have not had a chance to obtain a signature and they ask if we can go ahead and sign it so it does not delay them another two weeks. Altman stated she wants to make sure some office is in charge of that. Mr. Broermann stated he is in charge of that. Motion carried unanimously.

Highway Business (1:22:55)

Acceptance of Bonds and Letters of Credit - Highway Department:

Mr. Jim Neal requested acceptance of Bonds and Letters of Credit for the Highway Department.

1) HCHD #B-01-0081 - American Motorists Insurance Company Surety Bond #3SM004673

Endorsement reducing bond from \$104,233 to \$20,836 for Guilford Park Phase 2 curbing, asphalt base and binder on behalf of Dura Development. 2) HCHD #B-03-0003 - Fidelity and Deposit Company Permit Bond issued on behalf of Two Gaits Development Co., LP in the sum of \$5,000 for sidewalk construction to expire January 7, 2004. 3) HCHD #B-01-0004 - Ohio Farmers Insurance Company Annual Permit Bond #5883549 issued on behalf of JDH Contracting to now expire January 29, 2004. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds and Letters of Credit - Highway Department:

Mr. Neal requested release of a Bond for the Highway Department. 1)HCHD #B-98-0108 - Fidelity and Deposit Company Permit Bond #08078487 issued on behalf of Outside Services, Inc. for underground construction, Merrimac Subdivision, Common Area "C". Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Agreements: (1:23:58)

104th Street over Anderson Ditch Small Structure Agreement:

Mr. Neal requested approval of an agreement with Quandt, Inc., HCHD #E-03-0001, for replacement of the existing structure on 104th Street over Anderson Ditch and associated approach construction. Dillinger motioned to approve. Altman seconded. Altman asked if this is based on an hourly rate? Mr. Neal stated yes. Mr. Neal stated their rates are listed as an appendix to the agreement. It is by each item of work and they bill by percentage that they have completed. Altman would like to see the contracts before the meetings. Dillinger and Holt approved. Altman abstained. Motion carries.

United Consulting Engineers Annual Agreement:

Mr. Neal requested approval of the agreement for engineering services with United Consulting Engineers & Architects for 2003 Hourly Rates. There was no increase in rates between 2001 and 2002. The rates vary in increase from 0% increase for clerical to

7.7% increase for professional staff. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Right of Way: (1:27:02)

Mr. Neal requested acceptance of Right of Way located at 10820 College Avenue. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Condemnation of Parcels

106th Street and College Avenue Project:

Mr. Neal requested permission to proceed with condemnation of parcels for the 106th Street and College Avenue Project. 1) Parcel 11 - George B. Coleman - .121 acres +/- permanent right of way and .060 acres +/- temporary right of way. 2) Parcel 19 - Brad Beer - .008 acres +/- permanent right of way. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Bridge #223, Allisonville Road over Cheeney Creek:

Mr. Matt Knight requested signatures on the Title Sheet for Bridge #223, Allisonville Road over Cheeney Creek. This is part of the Town of Fisher's project to widen Allisonville Road north of 106th Street to just south of 116th Street. The bridge plans have been reviewed and approved by the highway department. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

146th Street Extension Report: (1:29:53)

Mr. Neal reported that the RFP's for engineers for the 146th Street Extension have resulted in 12 submissions. The proposals will be reviewed and a recommendation will be made to the commissioners at the February 24, 2003 meeting. Holt stated given the size of this project, there would be merit to look at the project with the idea of ways to break it down to sub-projects that would not be any less efficient from a financial standpoint, either linearly or by function? Dillinger seconded. Altman stated as long as everyone felt comfortable that they could bid certain portions of the project or the whole project. Holt stated it is professional services, it is not

a bid. We are going to determine who we are going to use, there is merit because of the size of the project to break it down. Mr. Neal stated we did have some difficulties on the 146th Street project getting the different sets of plans to mesh together. The highway department would recommend that we try to break the work down by tasks rather than chopping the projects into pieces. Altman stated that would be her preference. Holt stated we have just done it in on 146th Street with success. Holt asked Mr. Neal to try and do it both ways. Mr. Neal will report back on February 10th as to how they are proceeding.

Our Lady of Mount Carmel Speed Limits: (1:33:49)

Altman asked where are we with the Our Lady of Mount Carmel speed limits? Mr. Neal stated we are reviewing the manuals and figuring out the signing that we would have to do. We are also preparing to do manual traffic counts at the peak periods, because of the weather the pavement counters would not work right now.

Resurface Projects 2003:

Altman stated at the last meeting when we approved the resurface contract projects, as an aside they asked permission to go to Council, which we did not discuss, to get the balance of what we wanted to do in 2003 originally. We have a new Highway Director and Engineer coming on. She thinks it would behoove us to hold back on additionals with Highway COIT until we have a chance to put the new team together to look and see with priority and short cash what we have. She has spoken with Jim and holding a month or two will not effect the contracting program for the resurface. With funding being tight, without knowing where COIT is going to come down with the extra money, she would feel more comfortable if we would make sure those are our highest priorities on our resurface program. Holt asked if Altman has a reason to think those are not our highest priorities? Altman stated she does not know, but she does know that we have two new potential members coming onto our highway team that may have a different way of looking at it. Holt stated as a Board of Commissioners we have not put any input in to that list. It is highway's recommendation to us based on pavement condition as they have charted it. Holt stated he would assume that no matter who was looking at the data the conclusions would be the same. Altman stated she is not saying in terms of priority we would want to delay a couple of miles of road resurfacing to get another project done, given our funding situation. Holt stated you are really saying you would like to look at projects versus resurfacing? Altman stated yes. Altman state we have not analyzed what may have been double budgeted between 2002 and 2003 and what was encumbered and what could not be encumbered. Those numbers would be very helpful to the new person as to where the monies go. Holt stated is was his understanding that it was simply resurface that could be funded or not funded depending on how much money we have. Altman stated we approved what was in the budget for 2003 through Council, highway asked for permission to ask for additional money to complete what they wanted to do, that was cut at budget time. Holt asked if you are saying that you want to consider taking that additional request away from resurface to some other agenda item? Altman stated she is not suggesting that we do or don't until we look at everything with the new person and make sure that is the best use of any new money. Altman so moved. No second. Motion dies. Dillinger motioned to approve the repaying contract. Holt stated Altman is referring to the priority list. Altman stated it is not an issue of priorities, it is how far we go down the line. Dillinger stated the issue is to adopt the highway department's priority list? Altman stated no, we have done that. Altman stated as an aside at the last meeting they asked if we could ask Council for more money to complete the

resurface list that was in place, because during the budget process it was cut off at a certain point.

Snow Removal: (1:40:15)

Holt congratulated the Highway Department on the snow removal over the weekend. Dillinger stated the snow removal was excellent.

Sheriff: (1:40:37)

Sheriff Doug Carter stated the transition is moving along with the assistance of many people. We did have minor property damage accident with one of our vehicles yesterday. Holt thanked Sheriff Carter for taking the time to be at the meeting.

Administrative Assistant (1:41:45)

Tabled Appointments:

Sheridan Plan Commission:

Altman motioned to appoint Gary Merrill to the Sheridan Plan Commission. Dillinger seconded. Motion carried unanimously.

Health Board:

There has been no recommendation for the vacancy on the Health Board created by the death of Max Hunter.

Riverview Hospital Board of Trustees:

Dillinger motioned to appoint William Kirsch, M.D. to the Riverview Hospital Board of Trustees. Holt seconded. Dillinger stated he is of the age group that we need to start getting younger blood on the Board. He is very active in the community. All of his practice is at Riverview Hospital. Motion carried unanimously.

Wage Determination Board:

Holt asked to leave the Wage Determination Board appointments tabled.

4-H Tent Meeting: (1:44:51)

Mr. Swift stated he attended the 4-H Tent Committee meeting. The booth will be shared with County Council, Weights & Measures and Veteran's Services. One of the big efforts this year is to get office holders to attend, especially on big traffic nights.

Prosecutor Space:

Mr. Swift stated the Prosecutor has expressed an interest in obtaining extra office space. Holt stated we know we are in a crunch with the Prosecutor, likely will have problems with Probation in terms of space. Last year the council elected not to move forward on the building out of the two additional courtrooms that we have space for, next to Superior 2 and Superior 1. We know we are getting a new magistrate for Superiors 4 and 5. We should be investigating how we are moving forward with our space needs. A logical way to do it would be to request Envoy to give us some recommendations on a space needs consultant. Holt and Mr. Swift have gone through the building and looked at spaces and there are some under utilized spaces, but he does not think

it is logical for one or any of us to make those decisions. He would rather have a professional talk to the users and bring a recommendation back to the commissioners. Mr. Swift stated another option is having new facilities at the new Juvenile Justice Center. Holt motioned to contact Envoy. No second. Motion dies. Dillinger stated he would rather look at the space and see what is available. He does not want any more consultants until we decide what we are going to do with the Juvenile Detention Center. There is a lot of wasted space in this building right now that is not being utilized very well. Holt stated we need to look at the spaces and have someone talk to the users and see what the best way to utilize that space might be. Dillinger asked if he thinks we can do that? Holt stated we can do it, but he does not know if we can do it right. Altman stated she would prefer we look at it ourselves. She does not see an impending huge problem yet. What we do at the Juvenile Center will make a whole world of difference, depending on what we can afford there.

Additional Appropriation for Security:

Mr. Swift has requested the commissioners be placed on the Council agenda to request an additional appropriation for security for the Judicial Center. We will be on their agenda for approximately \$30,000. Altman so moved. Holt seconded. Altman and Holt approved. Dillinger opposed. Motion carried.

E911 Review Board: (1:53:00)

Dillinger stated the E911 Review Board met. Teri Yount worked with Ameritech setting up E911. She called Dillinger as an interested citizen and she attended the last E911 Review Board meeting. A committee was set up of users including Larry Stout to redefine what is needed. There is a discrepancy of what E911 is needing and the Auditor's office is needing. We asked Teri Yount to chair a committee to redefine the scope of this project and come back to the E911 Review Board with a recommendation by March 13th.

HIPPA: (1:55:12)

Dillinger motioned to remove the exclusion of the pre-existing condition in HIPPA opt out clause and allow the transfer in from other positions that meet the requirements under the transfer of benefits clause in the State of Indiana to apply to Hamilton County. Altman seconded. Motion carried unanimously.

Riverview Health and Fitness Center:

Dillinger motioned to approve the Riverview Health and Fitness Center benefit for Hamilton County Employees per the letter dated January 13, 2003. Altman seconded. This is not a county funded or sanctioned project, just an amenity that is offered. Motion carried unanimously.

Local Emergency Planning Council:

Altman stated she attended the Local Emergency Planning Council meeting and they are moving along.

Attorney (1:58:41)

Highway Bids:

Mr. Michael Howard reported that the annual Highway bids were opened in 10 categories. Bids were referred to the Highway Department for review and recommendation at the next meeting.

Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

146th Street Ramps Project INDOT Agreement Amendment:

Mr. Howard requested approval of an amended interlocal agreement for construction of a ramp and local street near the bridge for 146th Street over U.S. 31. An earlier version of the interlocal agreement defined the county portion of the project as extending 1300' south of the right of way line of 146th Street. At that time INDOT was looking at the study. At the end of the project they wanted to control everything from the potential light to the intersection at Keystone. The effect of the agreement changes the definition of the county portion of the project. It is 2,575' south of the right of way or basically brings it down that almost all of it remains in county jurisdiction for maintenance at the conclusion of the project. The primary reason is during the permitting stages with INDOT they found that Carmel has a sanitary sewer that extends parallel to Cool Creek and even though it goes under Keystone Avenue, they have now decided that they do not want sanitary sewers in their right of way. The bridge, ramp and roads are all designed to INDOT standards. Altman asked if we will pick up a significant number of feet for maintenance? Mr. Neal stated about 1,000' of roadway and a brand new bridge. Altman motioned to approve. Dillinger seconded. Holt asked does changing this agreement affect our interlocal agreement with Carmel? Mr. Howard stated no. Altman asked if we have had any problems with the payment of the TIF District? Mr. Howard stated we have not gotten there yet. Motion carried unanimously.

West Entrance Repairs: (2:05:01)

Mr. Scott Warner stated both Commissioners Holt and Dillinger asked that we revisit the repairs of the west entrance to this building leading out the plaza. We discussed this in November or December. At the time the commissioners had approved making the repairs without fixing the revolving door. Since then there have been concerns about that. Holt stated in fairness to Christine, she should meet with Scott and look at the entrance and then discuss it in two weeks. Mr. Warner stated we want to get the engineering done so when the weather breaks we can begin the repairs.

Corridor Benches: (2:07:16)

Mr. Warner stated Commissioner Holt had asked for us to get pricing for additional benches in the corridor on the second floor outside the courtrooms that would match what we had on the third floor. This is the wood benching. The original manufacturer is Weathered Estate Furniture, Rockland, Maine. It is called yacht quality wood. The price for two benches would be \$7,067.80 including freight. Holt asked Dillinger and Altman to go look at the situation and see what they think would be appropriate.

OSHA: (2:09:04)

Mr. Jeff Rushforth requested signatures on OSHA's Form 300A, Summary of Work-Related Injuries and Illnesses. The average rate for local government is 9.5% and Hamilton County's rate is 4.145%.

Auditor (2:10:34)

Covered Bridge Certification:

Ms. Robin Mills requested approval of the Covered Bridge Certification. Dillinger motioned to approve. Altman seconded. Motion carried unanimously. Mr. Swift stated we need to check to see if the covered bridge at Conner Prairie needs to be counted. Holt asked Mr. Stevens to check the statute and see if a covered bridge on private property needs to be certified. Holt motioned to table the certification until we get the recommendation from the Highway Department. Dillinger seconded. Motion carried unanimously.

Clerk of the Circuit Court Monthly Report:

Ms. Mills requested approval for the Clerk of the Circuit Court's Monthly Report dated December 2002. Dillinger motioned to approve. Altman seconded. Altman stated the Clerk's funds do not accrue interest. She will speak to the Clerk. Motion carried unanimously.

Acceptance of Bonds and Letters of Credit - Drainage Board:
Ms. Mills requested acceptance of a Letter of Credit for the Drainage Board. 1) HCDB-2003-0003 - First Indiana Bank Irrevocable Standby Letter of Credit No. 10397 - LC1 for the R.J. Craig Drain on the Eastern Star Baptist Church development in the amount of \$47,757.83. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds and Letters of Credit - Drainage Board:

Ms. Mills requested release of Bonds and Letters of Credit for the Drainage Board. 1) HCDB - L01-008 - Sentry Financial Corporation Irrevocable Standby Letter of Credit No. AM 841-01 for the Adams and Marshall, Inc. reconstruction of the Vestal Drain in the amount of \$72,750.00. 2) HCDB-2002-00331 - Home Federal Savings Bank Irrevocable Standby Letter of Credit No. 99000202111(1) for Shelborne Park Sec. 1 - Storm Water System - \$193,806.67. 3) HCDB - 2002-00333 - Home Federal Savings Bank Irrevocable Standby Letter of Credit No. 99000202111(3) for Shelborne Park Sec. 1 Erosion Control - \$38,160.00. 4) HCDB-B01-031 - Gulf Insurance Company Subdivision Bond No. B21844768 for Long Branch Estates Sec. 1 - storm sewers, SSD, Erosion Control and Monumentation - \$267,500.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims: (2:14:33)

Ms. Mills requested approval of the Payroll Claims for the period of December 21, 2002 thru January 4, 2003 paid January 17, 2003 and January 4, 2003 thru January 18, 2003 paid January 31, 2003. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Vendor Claims: (2:14:35)

Ms. Mills requested approval of the Vendor Claims to be paid January 28, 2003. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Parking - Downtown Noblesville: (2:15:17)

Mr. Rex Dillinger, President of Noblesville City Council, stated the Noblesville City Council put together a taskforce to look at parking in downtown Noblesville. This has been a problem that has plagued the area for 50 years. The taskforce includes Alan Hinds, Rex Dillinger, members of the Noblesville administration - police chief, street department, planning,

etc., Commission Steve Dillinger, representatives from Noblesville Main Street, Noblesville Chamber of Commerce, Mr. Stork - Board of Works, and 2-3 local business owners. We have approved a proposal from Walker Parking Consultants to perform a study for a cost of \$3,800.00. We are not asking for any money at this time, just the Commissioner's help on the taskforce. We are going to ask the County Council to appoint someone to the taskforce. To implement any solution, the county and city will have to work together. Holt asked when do you expect the results of the study? Mr. Dillinger stated they should begin in a couple of weeks. The longest part of the study will last eight weeks, so we are looking at the end of April. Holt stated the proposal states seasonal load, the summer being the most congested time other than the Christmas season? Mr. Dillinger stated that is one of the things they will determine. Walker will need access to county employees to interview them in regards to what do their offices bring in terms of extra people needing parking. Holt stated he knows the county brings in summer help and a number of downtown employers bring in summer help and if the study is over in April, you will wonder if the counts will be a true reflection of the peak season? Mr. Dillinger stated Walker has extensive experience in parking studies and they believe through interviews they can get a good assessment of the increase in demands will be.

Animal Control Shelter Architect: (2:20:00)

Dillinger reached Larry Dawson by phone. Altman motioned for Larry Dawson to open the RFP's for the architect for the Animal Control Shelter, put the results in writing and forward the summary to the Commissioners for review. Dillinger seconded. Holt stated the summary of the conversation was that Larry Dawson will get us the information on the three bidders and he will include his recommendation on who we should go forward with and the means by which he believes it is appropriate to negotiate a contract after the architectural firm has been selected. Motion carried unanimously.

Dillinger motioned to adjourn the meeting. Altman seconded. Motion carried unanimously.

Commissioners Correspondence:

Beam, Longest & Neff Notice of Transmittal: Culvert Plans - Project HCHD #PB-99-0015

IDEM Notice of Sewer Permit Application: Lakeside Park Subdivision, Section 1 - Carmel The Lakes at Hayden, Section 2 - Carmel Barrington Estates - Noblesville Carmel Street Department - Carmel

IDEM Notice of Decision - Approval: Sun Packaging

IDEM Notice of Appeal Rights for: Thorpe Creek Interceptor - Hamilton County Geist Elementary School - Fortville The Fairways at Prairie Crossing, Section 3- Noblesville Certificate of Insurance: Time Warner Entertainment USI News

Present:

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Doug Carter, Sheriff

Virginia Hughes, Administrative Assistant to Highway Engineer

Patricia Ogden, Highway Public Service Representative

Tom Stevens, Highway Department Consultant

Jim Neal, Acting Highway Engineer

Dave Lucas, Highway Inspector

Robert Chadwell, Highway Inspector

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Joel Thurman, Transportation Development Engineer

Matt Knight, Highway Staff Engineer

Mike McBride, Small Structure Staff Engineer

Dustin Teachnor, Highway Assets Manager

Faraz Hahn, Highway Department

Sally Wilson, Treasurer

Jeff Hill, The Corradino Group

Kathy Howard, Highway Department

Robert A. Davis, Highway Department

Michelle L. Crist, Highway Bid Opening

Kimberly Arndt, Highway Bid Opening

Brian Flint, Highway Bid Opening

Jack Cress, Highway Bid Opening

Bret Leininger, Highway Bid Opening

Don Hughes, Highway Bid Opening

Scott Gurde, Highway Bid Opening

Becki Wise, USI

Brett Quandt, Quandt

Jim Gillaspy, The Star

Diana Lamirand, Ledger

Jay Longedecker, Highway Bid Opening

APPROVED

	ATTEST:
Robin M. Mills, Auditor	